

RECORD OF PROCEEDINGS

Minutes of the Riverside City Council Meeting

Held on Thursday, January 5, 2023

CALL TO ORDER: Mayor Williams called the Riverside, Ohio City Council Meeting to order at 6:00 p.m. at the Riverside Administrative Offices located at 5200 Springfield Street, Suite 100, Riverside, Ohio, 45431.

ROLL CALL: Council attendance was as follows: Mr. Denning, present; Mrs. Franklin, present; Ms. Fry, present; Mr. Joseph, present; Ms. Lommatzsch, present; Mr. Maxfield, present; and Mayor Williams, present.

Staff present was as follows: Josh Rauch, City Manager; Chris Lohr, Assistant City Manager, Tom Garrett, Finance Director; Nia Holt, Zoning Administrator; Dalma Grandjean, Law Director; and Katie Lewallen, Clerk of Council.

EXCUSE ABSENT MEMBERS: No council members were absent.

ADDITIONS OR CORRECTIONS TO AGENDA: No changes were made to the agenda.

APPROVAL OF AGENDA: Ms. Lommatzsch moved, seconded by Deputy Mayor Denning, to approve the agenda. All were in favor. **Motion carried.**

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE: Mayor Williams led the pledge of allegiance. Mayor Williams stated that every year at the first meeting they take a moment of silence for two important individuals of Riverside. He read a statement of remembrance for Corporal Derek C. Dixon and for Private First-Class Lavern C. Ullmer.

MINUTES: Ms. Lommatzsch moved, seconded by Deputy Mayor Denning, to approve the minutes of the December 15, 2022, council business meeting. All were in favor. **Motion carried.**

ESTABLISH DATE AND TIME FOR MEETINGS: Mayor Williams opened for discussion to establish the date and time for council meetings. Mr. Rauch indicated that the current date and time seems to work for council. Discussion was held on having one meeting business meeting in July and removing July 6, 2023, from their calendar as a meeting date. Mr. Joseph moved, seconded by Ms. Lommatzsch, to hold their business meetings on the first and third Thursdays of each month, work sessions on the second Thursdays and the fourth Thursdays on an as needed basis. He added to strike July 6, 2023, from their list of meeting dates. All were in favor. **Motion carried.**

ELECTION OF DEPUTY MAYOR: Mayor Williams opened the floor for nominations of deputy mayor. Mrs. Franklin nominated Ms. Sara Lommatzsch for the position of deputy mayor. Mayor Williams nominated Mr. Zachary Joseph for the position of deputy mayor. Nominations were then closed as no more were provided. Roll call: Mr. Denning, Sara Lommatzsch; Mrs. Franklin, Sara Lommatzsch; Ms. Fry, Zachary Joseph; Mr. Joseph, Zachary Joseph; Ms. Lommatzsch, Sara Lommatzsch; Mr. Maxfield, Sara Lommatzsch; and Mayor Williams, Zachary Joseph. With a 4 – 3 vote, Ms. Sara Lommatzsch was elected as deputy mayor.

RECORD OF PROCEEDINGS

Minutes of the Riverside City Council Meeting

Held on Thursday, January 5, 2023

LIQUOR CONTROL: Mr. Rauch stated there were no issues with the request for a renewal of license from Springpass Road LLC DBA BP Woodman Drive, 501 Woodman Drive, Riverside, OH. Council did not request a hearing.

WRITTEN CITIZEN PETITIONS: Mayor Williams stated any citizen wishing to speak should fill out a petition form and turn it in to the clerk.

DEPARTMENT UPDATES:

A) Finance Department – Mr. Tom Garrett stated that CCA has given them another income tax distribution on December 30, 2022. The year to date total is \$9.147 million. This is \$500,000 over the anticipated amount. ODOT gave the city a refund of \$6,639 for the Airway Intersection Project. They are still working with Bradley Payne Advisors, the financing consultant, to prepare OMAPP application to the state treasurer associated with the Wright Point note. They are still working with SSI, and will use CMI through the January 13, 2023 payroll.

Audio was not connecting well. Discussion was held on final distribution for 2022 and when 2023 funding begins. Mr. Rauch stated for the purposes of 2022 revenue they are finished; everything from January 1, 2023, forward is accounted for the 2023 budget.

Mr. Joseph stated that they operate on a cash basis throughout the year. Later in the meeting they are going to vote on hiring a firm that will move them from a cash basis to an accrual basis. He asked what the dates are that the income tax was garnered from residents that they received from CCA, and when they do their annual financial statement, will any money received in January be reflected on the accrual basis for the first deposit in January. Mr. Rauch stated they will need to get back with him on that as it gets into the weeds on some of the accounting they have to get into. This may be something they have to run by the consultant when they do their reconciliation.

Mr. Rauch presented the income tax graph. The main take away is that they ended up with about \$500,000 ahead of what they budgeted for the year. This is Year “0”, or first year, so it is not a trend. They will put that money into the fund balance and if they need to lean on it, then it will be there to use. He will produce a Year “2” version of the chart that will help them watch quarter by quarter in 2023.

B) Administration Department – Mr. Chris Lohr stated that they are wrapping up the insurance transition. He will be coming to council in a work session with a timeline of the aggregation to move forward. There are a couple of options to consider. Mayor Williams asked if there was any information they could point citizens to now or should they wait for more substantive items like what they can expect and what are their options. *Response was inaudible.* Citizens will be provided with information on how to opt-out sometime in the spring. Those who choose not to opt-out will be getting their first bill sometime in the late summer to fall. Information will be received by citizens in the mail. Mr. Denning stated that when he provides them with information regarding rates, he would also like to see what the Ohio Choice Rates are to see if they are helping people or if it will make a difference. He

RECORD OF PROCEEDINGS

Minutes of the Riverside City Council Meeting

Held on

Thursday, January 5, 2023

would also like to know how long of a period the rate is good for. Mr. Rauch stated the first part of the process is selecting a broker that will represent the city to figure out what rates the citizens will be paying. He should have an idea of what that broker fee will look like that will be added in the rates. He added there are other factors to consider when selecting a broker and they will discuss that next week. Once they select a broker and approve that, then they will go and negotiate for the best rates possible. He does not believe they will be able to tell citizens by next week what an expected gas or electric rate will be. They should know about the broker element by next week in order for council to make a decision. Mr. Joseph stated he would be curious to know where the other municipalities are going as a larger coalition building gives them more power and bargaining tools to negotiate. Mr. Rauch replied they are prepared to have that conversation next week. They will give them a full break down where that is at the work session. Deputy Mayor Lommatzsch stated some people have been asking her about this thinking it will begin in 2024. She asked if it would be summer or fall of this year. Mr. Lohr replied they could expect by summer or fall. Mr. Rauch added they are trying to move as expeditiously as they can. A lot of communities jumped into this, so they are all learning this together.

C) Community Development Department – Ms. Nia Holt stated they are working on an online portal citizens can use to submit permit applications; they will start testing this month with a go-live by summer. She stated that planning commission will meet on Wednesday, January 18, 2023, this month since offices will be closed on Monday, January 16, 2023, for MLK Jr. Day. The Board of Zoning Appeals will not meet this month as there are no cases. They are hoping to see the Land Use Plan by the end of the month and come to council in a work session in February. They will also be working on a text amendment to go along with the Water Protection Overlay map that has already been approved. There will also be a development procedure chapter update and a property maintenance code update. Ms. Lommatzsch asked what happened with the motorcycle business by Taco Bell as it is gone. Ms. Holt stated she did not know for certain; she has had several inquiries. Mr. Maxfield stated they also had a shop in Troy, Ohio, so they may have consolidated. Mr. Rauch stated they will do some outreach to find out.

D) City Manager Report – Mr. Rauch gave a thank you to the service, fire, and police departments for all their work over the holiday; it was trying circumstances for the whole region. A number of people would have been on plows, but there were some out. He is proud and thankful for the work they did and for the directors.

PUBLIC COMMENT ON AGENDA ITEMS: Mayor Williams stated that one form had been turned in. He invited Mr. Dave Fisher to come forward and state his name, address, and keep his comments to three minutes.

Mr. Dave Fisher, 7311 Union Schoolhouse Road, stated he understood there is a resolution pending for the rezoning in that area of the farmland. He has been a resident since January 2003. He stated they have been fortunate to have that beautiful farm right across from them. He heard about the potential rezoning for a development that could have 90 additional families move into that farmland area. It would cause a ripple in traffic to Union Schoolhouse Road and feeding into Valley Street. He hopes that would be a consideration when they

RECORD OF PROCEEDINGS

Minutes of the Riverside City Council Meeting

Held on

Thursday, January 5, 2023

consider the rezoning. In that area they are on the low side of traffic, but with that development there is greater potential for traffic. They have had occasional speeders through there, which is a nuisance.

Mr. Maxfield pointed out that they are not voting on this. Mayor Williams stated there are two opportunities for the public to speak, one on agenda items and one on non-agenda items. He stated that the speaker spoke during the agenda item comment, however, there is no agenda item, no vote being taken, nothing before the council on any redevelopment for Union Schoolhouse Road. There is a resolution that cites the BZA in new business, but it has nothing to do with any planning commission case. Mr. Rauch stated the resolution before council today is an appeal of a prior decision of a case totally unrelated. They are happy to have the comments.

NEW BUSINESS

A. ORDINANCES

- I) **Ordinance No. 23-O-815 – An ordinance amending Section 182.26 of the Regional Income Tax Agency (RITA) Rules and Regulations of the Administrative Code of the Codified Ordinances of the City of Riverside, Ohio. (1st reading)**

Mrs. Franklin moved, seconded by Mr. Denning, to approve the first reading of Ordinance No. 23-O-815. The clerk read the ordinance by title only.

Roll call: Mrs. Franklin, yes; Mr. Denning, yes; Ms. Fry, yes; Mr. Joseph, yes; Ms. Lommatzsch, yes; Mr. Maxfield, yes; and Mayor Williams, yes. **Motion passed.**

- II) **Ordinance No. 23-O-816 – An ordinance amending chapter 1115.01 Accessory Buildings and Use Standards of the Unified Development Ordinance (UDO) of the City of Riverside, Ohio. (1st reading)**

Deputy Mayor Lommatzsch moved, seconded by Mrs. Franklin, to approve the first reading of Ordinance No. 23-O-816. The clerk read the ordinance by title only.

Roll call: Ms. Lommatzsch, yes ; Mrs. Franklin, yes; Mr. Denning, yes; Ms. Fry, yes; Mr. Joseph, yes; Mr. Maxfield, yes; and Mayor Williams, yes. **Motion passed.**

- III) **Ordinance No. 23-O-817 – An ordinance providing for the issuance of not to exceed \$4,735,000 Building Acquisition and improvements Special Obligation Bond Anticipation Notes, 2023 renewal, by the City of Riverside, Ohio in anticipation of the issuance of bonds, providing for the pledge of revenues for the payment of such notes, and declaring an emergency. (1st reading)**

RECORD OF PROCEEDINGS

Minutes of the Riverside City Council Meeting

Held on Thursday, January 5, 2023

Deputy Mayor Denning moved, seconded by Mrs. Franklin, to approve the first reading of Ordinance No. 23-O-817. The clerk read the ordinance by title only.

Roll call: Mr. Denning, yes; Mrs. Franklin, yes; Ms. Fry, yes; Mr. Joseph, yes; Ms. Lommatzsch, yes; Mr. Maxfield, yes; and Mayor Williams, yes. **Motion passed.**

B. RESOLUTIONS

I) Resolution No. 23-R-2815 - A resolution appointing the City of Riverside's 2023 representatives to the First Suburbs Consortium of Dayton Ohio Council of Governments.

Mr. Joseph moved, seconded by Deputy Mayor Lommatzsch, to appoint Ms. Fry and Mrs. Franklin as the representatives and Mr. Joseph as the alternate to the First Suburbs Consortium and to approve Resolution No. 23-R-2815.

All were in favor. **Motion carried.**

II) Resolution No. 23-R-2816 – A resolution appointing the City of Riverside's 2023 representatives to the Miami Valley Regional Planning Commission (MVRPC).

Mr. Joseph moved, seconded by Mr. Denning, to appoint Deputy Mayor Lommatzsch as the City's MVRPC representative and MVRPC Transportation Committee voting member with Mrs. Franklin as the alternate; to appoint Ms. Kathy Bartlett as the appointed City representative to the MVRPC Transportation Technical Advisory Committee with Kevin Miller as the alternate, and to approve Resolution No. 23-R-2816.

All were in favor. **Motion carried.**

III) Resolution No. 23-R-2817 – A resolution by the council of the City of Riverside, Montgomery County, Ohio approving the City Manager's appointment of two members to the Tax Incentive Review Council (TIRC).

Mr. Rauch stated that Ms. Lori Minnich and Mr. Chris Lohr will be the appointed staff members to the Tax Incentive Review Council.

Deputy Mayor Lommatzsch moved, seconded by Mr. Denning, to approve Resolution No. 23-R-2817.

All were in favor. **Motion carried.**

IV) Resolution No. 23-R-2818 – A resolution authorizing the city to submit an appeal of the Board of Zoning Appeals decision in BZA Case No. 22-0024 to the Montgomery County Court of Common Pleas.

RECORD OF PROCEEDINGS

Minutes of the Riverside City Council Meeting

Held on Thursday, January 5, 2023

Mayor Williams stated this resolution is to appeal a case decided by the BZA in December.

Deputy Mayor Lommatzsch moved, seconded by Mr. Joseph, to approve Resolution No. 23-R-2818.

All were in favor. **Motion carried.**

V) Resolution No. 23-R-2819 – A resolution by the council of the City of Riverside, Ohio advancing \$50,000 from the General Fund to the General Assessments Fund.

Mr. Rauch stated this resolution and 23-R-2820 are housekeeping resolutions allowing them to advance money to certain funds to make sure money is in the right accounts until tax receipts roll in.

Mrs. Franklin moved, seconded by Mr. Joseph, to approve Resolution No. 23-R-2819.

All were in favor. **Motion carried.**

VI) Resolution No. 23-R-2820 – A resolution by the council of the City of Riverside, Ohio advancing \$420,000 from the General Fund to the Capital Infrastructure Fund.

Mr. Joseph moved, seconded by Mr. Maxfield, to approve Resolution No. 23-R-2820.

All were in favor. **Motion carried.**

VII) Resolution No. 23-R-2821 – A resolution authorizing the city manager to enter into an agreement with Julian & Grube Inc. to provide services to convert cash basis financial information into accrual basis information at a cost not to exceed \$9,000 per year for years 2023 and 2024.

Mr. Rauch stated this resolution authorizes the financial consultant to do the required translation of accounts for financial reporting from cash basis to gap accrual basis.

Mr. Denning moved, seconded by Mrs. Franklin, to approve Resolution No. 23-R-2821.

All were in favor. **Motion carried.**

PUBLIC COMMENT ON NON-AGENDA ITEMS: No one came forward to speak.

COUNCIL MEMBER COMMENTS: Mr. Denning thanked the service, police, and fire department and for all their work over the holidays. He asked if the Code Red was used over the snow and ice weather that happened as he didn't get a text or anything. Mr. Rauch stated he would check with the chief. He believes there was a social media post about the cars. Mr. Denning wished everyone a Happy New Year and hopes to have a great year as they did last

RECORD OF PROCEEDINGS

Minutes of the Riverside City Council Meeting

Held on Thursday, January 5, 2023

year. He added that he was happy the income tax was above what they projected. He hopes that trend continues and that costs don't exceed their best guestimates.

Deputy Mayor Lommatzsch thanked everyone for their vote of support and serving on the MVRPC Board. She added that if everything goes well with the election then she will serve as president this year. She thanks all the employees who did everything they could to manage the crisis with the weather over the holidays. She wished everyone a Happy New Year.

Mr. Joseph echoed what Mr. Denning and Ms. Lommatzsch said thanking the public services department and first responders. He wished good vibes to the finance department and administration department of the upcoming Go-Live. He is aware of the time commitment and dedication to doing this. He thanked staff for their hard work. He added he would like to see the \$500,000 surplus continue for the city.

Mr. Maxfield thanked service staff, police, and fire over the holiday with what they had to do with snow removal as it was sketchy weather. He thanked them for all their time.


Mayor Williams stated in 2019, he was able to go to church and the congregation where he attends gave him a prayer when he became an elected official. It was a prayer by Archbishop John Carroll when George Washington was inaugurated for the first time. It sticks with him, and he thinks about it a lot. Beginning the 28th year of Riverside, he wants to look at a brief passage of it and tell the council how much he appreciates the work they can do together. "We pray for the governor of this state, for the members of the assembly, for all judges, magistrates, and other officers who are appointed to guard our political welfare, that they may be enabled, by your powerful protection, to discharge the duties of their respective stations with honesty and ability." That is his prayer for them moving into 2023.

EXECUTIVE SESSION: Mr. Denning moved, seconded by Mr. Joseph, to enter executive session for the following: 103.01(1) Unless the City employee or official requests a public hearing; to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a city employee or official or the investigation of charges or complaints against a City employee or official; and 103.01(2) To consider the purchase of property for public purposes, or for the sale of public property, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal or private interest is adverse to the general public interest. Roll call: Mr. Denning, yes; Mr. Joseph, yes; Mrs. Franklin, yes; Ms. Fry, yes; Ms. Lommatzsch, yes; Mr. Maxfield, yes; and Mayor Williams, yes. Council went into executive session at 6:55 pm.

RECONVENE: Council reconvened at 7:46 pm

ADJOURNMENT: Mr. Denning moved, seconded by Mr. Joseph, to adjourn. All were in favor. **Motion carried.** The meeting adjourned at 7:46 pm.


Peter J. Williams, Mayor


Clerk of Council

RECORD OF PROCEEDINGS

Minutes of the Riverside City Council Meeting

Held on _____

Page 1 of 1